UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

ALDO VERA, JR., as Personal Representative of the Estate of Aldo Vera, Sr.,

Plaintiff,

VS.

THE REPUBLIC OF CUBA,

12 Civ. 1596 (AKH)

Defendant.

ALDO VERA, JR., as Personal Representative of the Estate of Aldo Vera, Sr., et al.,

NOTICE OF MOTION TO DISMISS PETITION

Petitioners,

٧.

BANCO BILBAO VIZCAYA ARGENTARIA (S.A.), et al.,

Respondents/Garnishees.

PLEASE TAKE NOTICE that upon the accompanying Declaration of Kenneth A. Caruso, the exhibits attached thereto and the accompanying Memorandum of Law in Support of Motion to Dismiss, Respondent Banco Bilbao Vizcaya Argentaria, S.A. ("BBVA") will move this Court, pursuant to Section 404(a) of the New York C.P.L.R., made applicable by Rule 69(a), Fed. R. Civ. P., on a date and at a time to be fixed by the Court, for an order granting BBVA's motion to dismiss the Omnibus Petition for Turnover and granting such further relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to prior order of the Court, papers in opposition to this motion must be served by December 6, 2013, and reply papers in support of this motion must be served by December 16, 2013.

Dated: New York, New York November 15, 2013 WHITE & CASE LLP

Kenneth A Caruso

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Counsel for Banco Bilbao Vizcaya Argentaria, S.A

To: All Counsel (by ECF)